

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

HECTOR MARTINEZ,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-11-830-F
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER

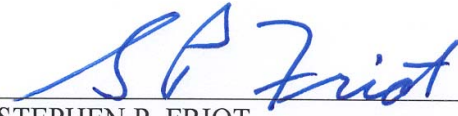
On February 18, 2014, United States Magistrate Judge Charles B. Goodwin issued a Report and Recommendation (doc. no. 195), wherein he recommended that Defendant's Motion to Dismiss be denied. Magistrate Judge Goodwin advised the parties of the right to file an objection to the Report and Recommendation by March 7, 2014.

The court is in receipt of Defendant's Notice in Response to Report and Recommendation, filed February 26, 2014 (doc. no. 200). In the notice, defendant states that it does not intend to file an objection to Magistrate Judge Goodwin's Report and Recommendation.

In light of defendant's notice and the fact that Magistrate Judge Goodwin recommends denying defendant's motion to dismiss, the court finds no reason to delay a ruling on the Report and Recommendation until after March 7, 2014. The court concurs with the recommended ruling. Thus, the court finds that the Report and Recommendation should be accepted, adopted and affirmed in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Charles B. Goodwin, filed February 18, 2014 (doc. no. 195), is **ACCEPTED, ADOPTED, and AFFIRMED**. Defendant's Motion to Dismiss (doc. no. 184) is **DENIED**.

DATED February 28, 2014.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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